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RUEHNE/AMEMBASSY NEW DELHI 1541  
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SUBJECT: UZBEKISTAN: EU DIPLOMATS EXPECT SANCTIONS TO BE  
WEAKENED

REF: SECSTATE 108064

Classified By: POLOFF R. FITZMAURICE FOR REASONS 1.4 (B, D)

¶1. (C) Summary: During a six-day visit to Uzbekistan, DRL Foreign Affairs Officer Rachel Waldstein on September 23 participated in an informal roundtable at the Embassy with diplomats from the German, French, Italian, and Latvian Embassies in Tashkent. The diplomats reported that the EU would most likely decide at its Foreign Ministers' General Affairs and External Relations Council Meeting (GAERC) in Luxembourg on October 13 to weaken sanctions against Uzbekistan by either eliminating or shortening a visa ban against selected Uzbek officials (Note: More recent reports from Brussels indicate that EU may also decide to maintain but "downsize" its arms embargo. End note.) The diplomats also expressed their view that engagement and offers of assistance, rather than sanctions and isolation, would be more likely to encourage further progress of human rights from Uzbekistan. The diplomats also explained that the EU had completed its dialogue with the Uzbek government on the 2005 Andijon events, with the German representative adding that it was time for the West to "get over Andijon." We share the view that engagement, not isolation, is the most effective way to achieve our goals in Uzbekistan -- but such engagement needs to also include a focus on Andijon. Waldstein's visit sets the stage for higher-level DRL contact with the government on human rights issues, and we would encourage a visit by the DRL Assistant Secretary or PDAS before the end of the year. End summary.

BACKGROUND ON EU SANCTIONS

¶2. (U) In response to the killing by Uzbek forces of a large but indeterminate number of civilians in the context of a jail break and hostage taking that occurred in the city of Andijon in May 2005, and the refusal of the Uzbek authorities to allow an impartial investigation of the incident, the EU imposed a visa ban on senior Uzbek officials - including the

defense minister and national security chief - involved in human rights abuses in the country. In October 2007, EU Foreign Ministers, facing pressure from Germany and other member states, agreed to suspend the sanctions for six months, provided that certain benchmarks demonstrating progress in human rights standards and democracy were met. "With a view to encouraging the Uzbek authorities to take substantive steps to improve the human rights situation and taking into account their commitments," EU Foreign Ministers in April 2008 noted progress on human rights and extended the ban for another six months. The October 13 GAERC will again take up the extension of the visa ban. Reports from Brussels indicate that the GAERC may drop the visa ban against Uzbekistan and maintain but "downsize" its arms embargo to get rid of prohibitions on selling equipment and other non-lethal items (reftel).

#### THE VIEW FROM TASHKENT ON EU SANCTIONS

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¶3. (C) On September 23, Waldstein participated in an informal roundtable at the Embassy with French DCM Christophe Le Rigoleur, Italian DCM Fabrizio Bovino, German Political Officer Uwe Berndt, and Latvian Political Officer Peteris Ancans. The diplomats explained that the consensus among EU Embassies in Tashkent was that sanctions had outlived their usefulness and now was the time to send a positive signal to the Uzbeks by weakening or removing them, a recommendation they reported was made in the most recent EU Heads of Mission report on Uzbekistan. While the diplomats were careful to note that their respective Foreign Ministries had not yet

made any firm commitments on sanctions, they expected that the EU would decide at its GAERC in Luxembourg on October 13 to ease sanctions against Uzbekistan. They explained that all 27-member states of the EU need to reach consensus on sanctions, or they would automatically expire. The diplomats noted that there were still differences of opinion with a few member states (none of whom have Embassies in Tashkent), and for this reason, they expected a compromise to be reached whereby a visa ban list against selected Uzbek officials would be eliminated or shortened, and an arms embargo would be kept in place. The diplomats also believed that the arms embargo itself might be weakened.

#### UZBEKS MET SOME, BUT NOT ALL, EU HUMAN RIGHTS BENCHMARKS

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¶4. (C) Le Rigoleur allowed that the Uzbeks had not achieved all the human rights benchmarks the EU had laid out for them - namely failing to grant accreditation to Human Rights Watch (HRW) Tashkent director Igor Vorontsov or to invite back the United Nations Special Rapporteur on Torture (who last visited Uzbekistan in 2003) - but he observed that Uzbekistan had achieved progress in the past year, including by releasing political prisoners, abolishing the death penalty, and adopting a law on habeas corpus. Bovino cited other positive steps the Uzbeks had taken in the past year, including allowing the restart of the International Committee of the Red Cross (ICRC) prison visits and adopting International Labor Organization (ILO) child labor conventions and a National Action Plan on their implementation.

#### EU DIPLOMATS FAVOR ENGAGEMENT, ASSISTANCE OVER SANCTIONS

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¶5. (C) Berndt argued that sanctions were a poor instrument for achieving human rights progress in Uzbekistan and that keeping sanctions would be counterproductive and likely lead to a break in dialogue with the Uzbeks. Berndt was also critical of the EU visa ban itself. He noted that with the exception of National Security Service Chairman Inoyatov, most of the other officials on the list already have been removed from their posts.

¶6. (C) Instead, Berndt thought greater long-term sustainable progress on human rights could be achieved through engagement

and offering assistance to the government, such as training for law enforcement officials. As an example, he cited the German government's recent funding of a 40,000 Euro project that offers seminars and trainings for judges and prosecutors on the new habeas corpus law, which he said has already been carried out in 8 of Uzbekistan's 14 regions. Le Rigoleur added that the EU planned to begin a 10 million Euro judicial reform project in January 2009, which would be regional in nature but still focus on Uzbekistan. In addition to the habeas corpus law, the EU diplomats also believed two other possible areas of cooperation were education exchanges and water management.

¶17. (C) Ancans added that all EU member states wanted to continue to see progress on human rights in Uzbekistan, but their opinions differed on what approach would work best. He maintained that constructive dialogue was most likely to succeed, but he also believed that the threat of renewed sanctions could be invoked at some point in the future if Uzbekistan failed to make further progress.

#### EU DIPLOMATS ARGUE UZBEKS DO NOT RESPOND TO PRESSURE

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¶18. (C) Berndt noted that human rights defenders within Uzbekistan were split on the issue of sanctions. He observed that, unlike diplomats, local activists had almost no contact with the government, and therefore they had unrealistic expectations of what the West could achieve on human rights in Uzbekistan. Berndt and Bovino noted that the Uzbeks were very stubborn and proud and did not respond well to outside pressure. Instead, they observed that the Uzbeks desired to be seen as equals, not lectured as children.

¶19. (C) As an example of how the Uzbeks do not respond well to outside pressure, Le Rigoleur recounted a conversation that he had last spring with former HRW Tashkent director Vorontsov, where he warned Vorontsov that the Uzbeks would never grant him accreditation if it was included as one of the benchmarks the EU submitted to the government. Despite his warning, HRW continued to lobby the EU, which agreed to include Vorontsov's accreditation as a benchmark. Le Rigoleur was then not surprised when the Uzbeks ultimately refused to grant accreditation to Vorontsov.

¶10. (C) Berndt also argued that the Uzbek government was "not monolithic," but made of competing groups, some of who were more orientated towards the West and reform. He believed that it was important to support the hand of such reformers, which could be achieved through greater engagement, and not weaken them by pushing too hard on the government.

#### GERMAN DIPLOMAT CRITICIZES ACTIVISTS

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¶11. (C) Berndt also suggested that much human rights reporting by independent activists was biased and exaggerated. In particular, he referred to the case of imprisoned political opposition figure Sanjar Umarov, who, according to his relatives, has been mistreated in prison this year and remains in dire health. Berndt, however, reported hearing from another local activist, Mothers Against the Death Penalty and Torture Chairman Tamara Chikunova, that Umarov in fact is treated better than a majority of inmates in Uzbek prisons and is not ill (Note: We are unable to confirm Chikunova's allegation about Umarov. In a recent email, Umarov's son reported to poloff that his aunt recently visited Umarov in prison and found that his condition appears to have improved. End note.) Berndt also reported being told by Chikunova that prison conditions have improved in the last few months and that inmates have been granted greater access to medical assistance.

#### THE UZBEKS DON'T WANT MUCH FROM THE WEST

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¶12. (C) Le Rigoleur noted that the West had limited leverage over Uzbekistan, as its leaders did not want much from the West. He noted that Uzbeks were interested in some increased security cooperation, especially in regards to Afghanistan. He also believed that the Uzbeks were interested in improving their international image to a certain degree. Berndt believed that if the EU sent a positive signal to the Uzbeks and "gave them some respect," they may "learn to value that respect and become afraid to lose it."

¶13. (C) Le Rigoleur argued that EU influence in Central Asia was much weaker than in Eastern Europe or the Caucasus. He noted that the EU was competing for influence with large regional powers - including Russia, Japan, South Korea, India, and Pakistan. If the EU wished to retain what influence it had in the region, Le Rigoleur believed it needed to stay engaged with the local governments. On the other hand, if the EU kept its sanctions against Uzbekistan in place, he feared that the EU's influence in the region

would diminish. Le Rigoleur also observed that while the United States held some economic leverage over Uzbekistan, particularly in regards to the use of child labor during the cotton harvest, otherwise its leverage in the region was also limited (Note: Walmart recently ordered its suppliers to stop sourcing Uzbek cotton, citing child labor concerns. End note.)

"WEST NEEDS TO GET OVER ANDIJON..."

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¶14. (C) In regards to the violent Andijon events from 2005, Berndt believed that it was time for the West "to get over Andijon." Berndt was adamant that if the United States insisted that the Uzbeks allow an international investigation into the Andijon events, it would "get no support from the EU for such a demand." Berndt pointed out that two EU expert groups already visited Uzbekistan and held direct talks with the government over Andijon in 2006 and 2007. In contrast to the popular perception that Uzbek soldiers fired upon unarmed protestors at Andijon, Berndt noted that the expert groups were shown film proving that the Andijon protestors were armed and had taken hostages (Note: We also have seen such footage, which, at least for a time, was available on the internet. End note.) Le Rigoleur added that the first EU expert group to visit Uzbekistan "was ill-prepared," but said that second expert group "was better prepared" and had "all of their questions" answered by the Uzbeks. According to him, the only piece of evidence which the Uzbeks did not share with the EU expert groups is footage of the shooting itself. Le Rigoleur echoed Berndt's thoughts, noting that discussions between the EU and the Uzbeks over Andijon "were finished."

¶15. (C) Both Berndt and Le Rigoleur believed that the ultimate cause of most civilian deaths at Andijon was the poor training of Uzbek law enforcement officials, who demonstrated their utter ineptitude at handling crisis situations. They believe that the only way forward on the Andijon issue was to offer the Uzbeks training for law enforcement officials, with the goal of trying to prevent such a tragedy from reoccurring.

VIEW FROM THE BRITISH EMBASSY

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¶16. (C) A representative from the British Embassy in Tashkent, which has generally been seen as taking a harder line with the Uzbeks on human rights over the years than the other EU Embassies, was not able to attend the roundtable on September 23. However, the EU diplomats present at the roundtable reported that the British Ambassador in Tashkent agreed with their sentiments and had signed off on the EU Heads of Mission report on Uzbekistan. On October 8, poloff met with new British Embassy Political Officer Richard Pike, who also reported that he expected EU sanctions to be weakened on October 13 and suggested that the British Embassy in Tashkent favored such an approach.

REMARKS BY LATVIAN PRESIDENT IN TASHKENT

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¶17. (U) According to press reports, Latvian President Zatlers, publicly took sides in the EU debate on sanctions by telling reporters on his way to Tashkent that Latvia believed sanctions had played themselves out and isolation of Uzbekistan was counterproductive.

HUMAN RIGHTS WATCH REPORTEDLY REACHES OUT TO KOUCHNER

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¶18. (C) On October 7, the French Ambassador (protect) told the Ambassador that he was running into some wrinkles with Paris regarding the EU sanctions decision. According to the French Ambassador, HRW had weighed in with a strong letter to FM Kouchner, which was apparently causing some last minute jitters in Paris with regard to plans to ease the sanctions regime by lifting the visa ban while keeping an arms embargo in place.

COMMENT

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¶19. (C) We agree with the EU diplomats that prolonging sanctions against Uzbekistan at this point is counterproductive. As the refusal of the Uzbeks to grant accreditation to HRW's Tashkent director demonstrated, the Uzbeks do not respond well to outside pressure. While HRW and other human rights groups might disagree, we continue to believe that more systemic and sustainable progress on human rights could be achieved through greater engagement with the government and offers of assistance. Right now, our priority is to continue to encourage the government to work closely with the ICRC on its prison monitoring program, which Chikunova and others have pointed out has resulted in some improvement in prison conditions this year. In regards to the 2005 Andijon events, we also agree with the EU diplomats that our priority should not be to demand that the Uzbeks allow an independent investigation into what occurred, which they will never allow. Instead, we believe our focus should be on trying to avoid a repeat of those events by reviewing all accounts of the incident with appropriate government officials and offering assistance, such as training for law enforcement officials in appropriate crowd-control tactics.

¶20. (C) Waldstein's visit sets the stage for higher-level DRL contact with the government on human rights issues, and we would encourage a visit by the DRL Assistant Secretary or PDAS before the end of the year.

NORLAND